



Natural Resources Conservation Service
1007 Mill Pond Lane Suite B
Greencastle, IN 46135

Attachment A In. Bulletin 300-8-1

Subject: Statewide Waiver for EQIP

Due to the extreme drought for many parts of Indiana, pasture and forage stands have been severely damaged or lost, leaving fields at risk from erosion and forage supplies at critical levels. Additionally many crop fields will not have utilized nearly all of the applied Nitrogen and other nutrients do to the limited late season growth and production. Many livestock producers will be grazing or harvesting crop residues to supplement or reduce forage supplies. This will create additional soil quality concerns. To assist with these resource concerns, the State Conservationist has issued a statewide waiver to seed Cover Crops, following NRCS Standards and specifications, prior to contract approval. This waiver applies to Fiscal Year 2008 EQIP applications. By allowing seeding to occur in October, risks from soil erosion, nitrates entering surface and subsurface water should be significantly reduced while providing additional forage in drought stricken areas. The State Conservationist is also including temporary fence and watering tanks for temporary water practices when used in conjunction with the cover crop practice.

To the producer:

This waiver is contingent upon the understanding that you have not started the cover crop, temporary fence or watering tanks for temporary water practices before the date of this waiver. Also, you are advised that you will be ineligible to receive any (EQIP) payments if any of the following occurs:

- The contract is not approved.
- The practice is not completed in a manner that meets NRCS standards and specifications.
- The requested practice is not included in the approved conservation plan for (EQIP) funding.

This waiver will expire on September 30, 2008. If your contract is not approved by this date, you will not be reimbursed for any expenses associated with implementing the practice.

Contact your local NRCS office to verify approved design or other information before starting the conservation practice. ***This waiver is applicable only to the starting date for the practice and does not constitute approval of either the EQIP contract you have applied for or the conservation practice.*** All other practice requirements must be met. You will need to submit a copy of this waiver letter with any bills and completion certifications once the practice installation is completed.

This waiver is not appealable as this is a matter of regulation, as set forth in accordance with the provisions of the Department of Agriculture Reorganization Act of 1994, Law 103-354 (7 U.S.C. 6991 et seq.), and as set forth in the National Appeals Division Rules of Procedure, 7 CFR Part 11, Section 11.6(a)(2). If you disagree with the terms and conditions of this waiver, you may request a review of appealability from the National Appeals Division (NAD) at the address below.

Duane Sinclair, Assistant Director
National Appeals Division
8909 Purdue Road
Indianapolis, IN 46268

If you have questions concerning this waiver, please contact Harold Thompson at 317-290-3200, ext. 320.

Sincerely,

JANE E. HARDISTY
State Conservationist